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**Intergovernmental Group of Experts on Consumer Law and Policy  
(IGE Consumer)**

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**Intergovernmental Expert Group on Consumer  
Protection 2017  
Comments from Consumers International**

Contribution by  
Consumers International

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# Intergovernmental Expert Group on Consumer Protection 2017

## Comments from Consumers International

*In accordance with Section VII of the United Nations Guidelines for Consumer Protection, adopted by the General Assembly in its resolution 70/186 on Consumer Protection of 22 December 2015 (see A/RES/70/186), and the provisional agenda adopted by the first session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy (see TD/B/C.I/CPLP/4), the second session of the Group is invited to consider discussing various issues relating to the implementation of the United Nations Guidelines for Consumer Protection:*

*(a) Report on the national and regional implementation of the United Nations Guidelines for Consumer Protection;*

*More specifically, the Intergovernmental Group of Experts pursuant to guideline 97(h) is to make appropriate reports and recommendations on the consumer protection policies of Member States, including the application and implementation of the guidelines. The Group will be invited to discuss the different initiatives undertaken at the national and regional levels in the implementation of the guidelines since the adoption of their revised version in December 2015.*

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Consumers International and our membership have actively supported the implementation of revised UN Guidelines for Consumer Protection through a number of international, regional and national initiatives.

Internationally, Consumers International launched a new video and booklet that aims to introduce the UN Guidelines to people in government, business or civil society who may not have been aware of them. The materials, which are available in English, Spanish, French and Arabic were launched at the first IGE meeting in October 2016.

<http://stage-consumersinternational.brandextest.co.uk/media/2049/un-consumer-protection-guidelines-english.pdf>

In addition Consumers International has promoted the UN Guidelines in international meetings and forums such as the G20 Consumer Summit, the UNCTAD e-commerce week and the OECD Consumer Policy Committee.

Regionally Consumers International has contributed to UNCTAD programmes in Latin America and North Africa and the Middle East

and has held sessions on the revised UN Guidelines at our own regional meeting in Asia Pacific.

Nationally many of Consumers International's members have also launched initiatives to raise awareness of the need to translate the updates into national legislation and business practice. These have included surveys, materials and roundtables and bi-lateral meetings with government ministries and businesses. Special emphasis was made in the need to involve businesses in proactively supporting consumer protection and the development of agreed codes of conduct based on Good Business Practices included in the revised version of the UNGCP.

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Consumers International proposes that the IGE request that UNCTAD develop realistic and practical initiatives that support national implementation of the UN Guidelines. This could include:

- Continued support for the regional programmes in Latin America and the Middle East and North Africa and promotion of the materials that have been developed through these programmes.
- Promote the updated Manual on Consumer Protection which is a comprehensive tool for supporting the implementation of the UN Guidelines.
- A joint session to discuss implementation with international and regional business representatives and bodies responsible for the economy, trade, human rights etc
- Compile examples of national initiatives, such as assessments of current legislative and institutional frameworks and multi-stakeholder roundtables that have been held to support implementation of the UN Guidelines.
- Develop recommendations and practical information for stakeholders that wish to organize similar initiatives in their own countries.

Furthermore Consumers International calls on all members of the IGE to support the proposal for UN Recognition of World Consumer Protection Day / Week as a practical measure to raise the profile of consumer protection beyond bodies that are directly engaged in consumer protection to ensure that more government ministries, businesses and consumers themselves are aware of the importance of consumer protection in promoting a fair, safe and successful economy.



development of interactive digital tools that allow for digital visualization or more dynamic interaction with the data.

It would be particularly useful if any assessment could also include:

- multi stakeholder engagement and examples of how consumer protection is dealt with in other government ministries, the business sector and civil society.
- cross-border cooperation

(c) *The protection of vulnerable and disadvantaged consumers;*

*One of the legitimate needs which the guidelines are intended to meet is the protection of vulnerable and disadvantaged consumers (guideline 5.b). The Intergovernmental Group of Experts will discuss the specificities and various concrete actions taken to protect the rights of vulnerable and disadvantaged consumers, and will be asked to decide possible future work on this domain.*

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Since the adoption of the UN Guidelines in 1985, the notion of vulnerable and disadvantaged consumers has substantially changed. The original text includes references to vulnerability, consumers that live in rural areas and the need to pay special attention to them in terms of infrastructure, logistics, distribution and education. The updated UN Guidelines retain these points but introduce a number of changes, the most important is the inclusion of protection to vulnerable and disadvantaged consumers as one of the legitimate needs; and throughout the text we can find references to both when the Guidelines deal with specific sectors or issues, such as in the Good Business Practices, consumer education, public utilities.

CI has promoted the rights of vulnerable consumers since its foundation. In its long history of more than 57 years, we worked to promote and implement consumer rights worldwide with an emphasis in developing countries where those rights were scarce or even non-existent.

Vulnerability and disadvantage can take many different forms including lack of income, low levels of literacy and education, lack of influence, groups that are marginalised because of gender, religion or location. In implementing the UN Guidelines countries should pay special attention to these vulnerabilities to ensure that all consumers have access to safe and fair goods and services. This will be a major contribution to the achievement of the Sustainable Development Goals and the commitment 'to leave no one behind.' Consumers International has produced a short paper illustrating how implementation of the UN Guidelines can support the Sustainable Development Goals.

[http://www.consumersinternational.org/media/1488820/the-role-of-consumer-protection-in-meeting-the-sdgs\\_updated-jan15.pdf](http://www.consumersinternational.org/media/1488820/the-role-of-consumer-protection-in-meeting-the-sdgs_updated-jan15.pdf)



Consumers International encourages IGE members and UNCTAD to proactively engage with the SDG agenda and make the case for the positive impact that consumer protection can have on the achievement of many of the goals. This could be done through an UNCTAD sponsored event at an appropriate point in the SDG process.

UNCTAD could also collate examples of how agencies and other stakeholders are seeking to meet the needs of excluded and vulnerable consumers. This might be through regulation or the development of new products and services that meet the needs of these groups.

*(d) Framework for voluntary peer reviews on consumer protection law and policy;*

*In its First session, the Intergovernmental Group of Experts asked the UNCTAD secretariat to develop a framework for voluntary peer reviews on consumer protection law and policy. To facilitate this exercise, the Group will have reviewed the secretariat report entitled "Framework for voluntary peer reviews on consumer protection law and policies" (TD/B/C.I/CPLPC/\*), and will have heard presentations by experts, as well as international and regional actors. The Intergovernmental Group of Experts is also expected to give guidance to the UNCTAD secretariat on the methodology and modalities for voluntary peer reviews on consumer protection law and policy.*

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Consumers International supports the proposal for UNCTAD to conduct voluntary peer reviews on consumer protection law and policies and we encourage public authorities to engage with a range of stakeholders including ministries that are not directly responsible for consumer protection, business and consumer groups in conducting the reviews.

*(e) The protection of consumers using electronic commerce*

*One of the selected issues by the First session of the Intergovernmental Group of Experts for discussion in its Second session is the consumer protection aspects of electronic commerce. In view of framing discussions on such a wide domain, the Group will have reviewed the secretariat report entitled: "The protection of consumers using electronic commerce" (TD/B/C.I/CLP/\*), and will have heard contributions from experts, international and regional actors, as well as representatives of the private sectors and civil society. The Intergovernmental Group of Experts is expected to identify practical ways to feed the outcomes of the discussions and guide the secretariat in its future work.*

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Consumers International welcomes the UNCTAD secretariat report on ‘The Protection of consumers using electronic commerce’ and the success of the UNCTAD e-commerce week held in April 2017.

### **Consumer trust in e-commerce**

Building a Better Digital Economy for Consumers is a priority issue for Consumers International and we have developed a number of new initiatives to support consumers in a fast moving digital economy including making this the theme for World Consumer Rights Day 2017 and co-hosting the first ever G20 Consumer Summit on the theme with the German Federal Ministry for Justice and Consumer Protection and the federation of German Consumer Organizations. Our Director General also participated in the UNCTAD e-commerce week in April 2017.

A number of consumer digital issues must be addressed in order to build consumer trust and confidence in ecommerce. This must also be understood in the context of consumers’ and citizens’ wider experiences and participation online. Consumer confidence and trust are central to the success of the digital economy. The rapid development of digital technology has delivered real social and economic benefits for millions of consumers around the world. It has connected people within and between countries, enabled people to access information and services with ease and created choice and convenience in ways that couldn’t be imagined only a generation ago. It has also supported economic growth and many have seen new opportunities open in communications, services, financial access and knowledge.

However, the continued success of the digital economy will only be possible if further developments are not just available to all but trusted enough to be used by people. With the rapid pace of development in digital technology this trust cannot be taken for granted. Issues such as access, choice, data protection, security and redress, to name just a few, already raise concerns.

In an increasingly fast moving and connected world the responsibility for ensuring consumers’ rights are protected online cannot be managed by one country alone; we must work together internationally and collaboratively across government, international organisations and businesses.

### **Consumers International initiatives**

Consumers International has developed a number of new initiatives on the digital economy in line with the UNGCP revisions adopted in 2016 that introduced issues such as electronic commerce, mobile transactions, financial services, good business practice and data



protection. These are underpinned by the 'equivalence principle' that consumers using e-commerce should have the same level of protection as in other forms of commerce.

Consumers International's recommendations to the G20 on "Building a Digital World Consumers can Trust" include a number of points that are relevant to e-commerce: <http://www.consumersinternational.org/media/1733750/g20-digital-recs-english-visual.pdf>

Previously Consumers International has also contributed to:

- OECD guidelines on ecommerce: Limited liability for consumers in the event of unauthorized or fraudulent charges. This was already recommended in the 1999 version which endorsed 'chargeback mechanisms' such as credit card guarantees. We argued successfully for the extension of OECD recognition to 'escrow' which parks consumers' payments with third party intermediaries, only releasing payment when satisfactory goods are delivered.
- ISO work on standards: Thorough ISO and COPOLCO, there are several standards that are under development. A standard on mobile payments failed to be approved and there are now discussions between ISO members to develop a new text. Also, online reputation is a matter of concern for ISO - a standard is under discussion and the final text is expected in February 2018. ISO 10008:2013 aims to enable organizations to set up a fair, effective, efficient, transparent and secure B2C ECT system, in order to enhance consumers' confidence in B2C ECTs and increase the satisfaction of consumers. It is aimed at B2C ECTs concerning consumers as a sub-set of customers.
- Consumers International will publish a scoping of the key consumer protection issues in Fintech sector in June 2017

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Consumers International welcomes the proposal to establish a working group on e-commerce and would be pleased to participate and make contributions based on the experience and insight from our international partnerships and global membership.

We would encourage the working group to engage with bodies working on trade, the economy and business in order to have a full picture of the sector and to ensure consumer issues are fully considered in these debates.

